

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BENJAMIN LEO ZARN,

Defendant.

CR 08-73-GF-BMM

ORDER

Defendant has moved under 18 U.S.C. § 3583(e)(1) for an early termination of his supervised release. The Government opposes the motion. (*See* Doc. 88 at 1). Defendant's probation officer takes no position on the motion. (*See* Doc. 88 at 3). The Court conducted a hearing on the motion on January 18, 2017.

Defendant was found guilty of Receipt of Child Pornography on December 29, 2008. (Doc. 50). Defendant was sentenced on April 1, 2009, to 60 months of custody followed by a mandatory minimum term of five years of supervised release. (Doc. 67). Defendant's term of supervised release began on December 17, 2012. Defendant has been on supervised release for approximately four years and 1 month. The record reflects that Defendant has complied with all of the conditions of his supervised release. *See* Doc. 88 at 3. The factors in 18 U.S.C. § 3553 support an early termination of supervised release.

For the reasons discussed in open court, IT IS ORDERED:

1. Defendant's Motion for Early Termination of Supervised Release

(Doc. 88) is GRANTED subject to the following condition:

- a. Defendant shall be DISCHARGED from supervised release on June 1, 2017, so long as he commits no supervised release violations between the date of this Order and June 1, 2017.

2. The United States Probation Office is directed to promptly inform the Court of any supervised release violations by the Defendant.

DATED this 19th day of January, 2017.



Brian Morris
United States District Court Judge